

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

**AMYJON SMITH,**

**Plaintiff,**

**v.**

**No. 14-cv-0336 LH/SMV**

**GEICO INSURANCE COMPANY,**

**Defendant.**

**ORDER GRANTING DEFENDANT’S UNOPPOSED MOTION TO BIFURCATE  
AND STAY PLAINTIFF’S EXTRA-CONTRACTUAL CLAIMS**

THIS MATTER is before the Court on Defendant’s Unopposed Motion to Bifurcate and Stay Plaintiff’s Extra-Contractual Claims [Doc. 13] (“Motion”), filed May 13, 2014. The Court, having considered the Motion and relevant law, and noting that the Motion is unopposed, finds that the Motion should be **GRANTED**.

“For convenience, to avoid prejudice, or to expedite and economize, the court may order a separate trial of one or more separate issues, claims, crossclaims, counterclaims, or third party claims.” Fed. R. Civ. P. 42(b). Defendant requests that Plaintiff’s contractual claims in Count I be bifurcated from the extra-contractual claims in Counts II, III, IV, and V, and that proceedings as to the latter claims be stayed pending the resolution of the claims in Count I. [Doc. 13] at 7. Having considered the possibility of unfair prejudice and the Court’s own interest in judicial economy, the Court finds that bifurcation is warranted.

**IT IS THEREFORE ORDERED** that Defendant’s Unopposed Motion to Bifurcate and Stay Plaintiff’s Extra-Contractual Claims [Doc. 13] is **GRANTED**. All proceedings as to Counts II, III, IV, and V are hereby **STAYED** pending resolution of the claims in Count I.

**IT IS SO ORDERED.**

A handwritten signature in black ink, appearing to read 'S. Vidmar', is positioned above a horizontal line.

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**STEPHAN M. VIDMAR**  
**United States Magistrate Judge**